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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 NO. MJ 17-446

11 Plaintiff,

12 v.

13 ANGELO RAPHAEL GUTIERREZ,

14 DETENTION ORDER

15 Defendant.

16 Offenses charged:

17 Count 1: Felon in Possession of a Firearm

18 Count 2: Possession of Heroin With Intent to Distribute

19 Count 3: Possession of Methamphetamine With Intent to Distribute

20 Date of Detention Hearing: October 31, 2017.

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

24 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
25 defendant is a flight risk and a danger to the community based on the nature of
26 the pending charges. Application of the presumption is appropriate in this case.

DETENTION ORDER

18 U.S.C. § 3142(i)

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2. Defendant has an extensive criminal record, including five convictions for firearms violations.
3. Defendant has two eluding convictions.
4. Defendant was on Department of Corrections supervision when the activities alleged in the complaint occurred.
5. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and
- (4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 31st day of October, 2017.

James P. Donohue

JAMES P. DONOHUE
Chief United States Magistrate Judge